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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,906	12/10/2003	Michael T. McKibben	LET01-GN005	5793
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EXAMINER				
LIE, ANGELA M				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/731,906

Applicant(s)

MCKIBBEN ET AL.

Examiner

ANGELA M. LIE

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 16-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 16-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 12/27/2007.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of claims

1. Claims 1-12 and 16-37 are currently pending.
2. Claims 13-15 are canceled.
3. Claims 1, 16, 24, 31, 36 and 37 have been amended.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-12 and 16-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copperman et al (US Publication No. 2007/0033221), hereafter referred to as Copperman, in view of Fenton et al (US Publication No. 2006/0123038), hereafter referred to as Fenton.**

As to claims 1, 16, 24, 31, 36 and 37, Copperman teaches a method and a system comprising: a storage device adapted to store data and contextual metadata, the contextual metadata being associated with: a) data component that is associated with one or more data operations being performed on the data (paragraph [0043]); and b) a tagging component that automatically tags contextual information to the contextual metadata when the data is created (paragraph [0052], wherein taxonomy tags (context information) is used in creating smart summary (contextual metadata)), the contextual information being at least one of automatically generated information generated by the

system upon creation of the data (paragraph [0047], wherein tags can be created automatically via auto-contextualization); and a computer device linked via one or more communication links to the storage device, the computer device adapted to execute a software tool (paragraph [0116]) configured to perform the steps of: performing one or more data operations on the data while in a user context; automatically tagging contextual information related to the user context to the contextual metadata (paragraph [0052], wherein taxonomy tags (context information) is used in creating smart summary (contextual metadata)). However, Copperman does not explicitly teach that the information is generated by the system upon the one or more data operations being performed on the data and updating the contextual metadata based upon the one or more data operations. On the other hand, Fenton teaches dynamic indexing of a website content, wherein indexing (i.e. metadata) is updated automatically as soon as content of a corresponding web-site is modified (paragraph [0102]). It would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine Copperman's teaching about creation of a context information and metadata based on the context of a document, with Fenton's teaching about updating such metadata whenever original content of a document is modified, in order to maintain the most up-to-date description of a data, thus providing better result retrieval when user's query is compared with the corresponding metadata describing document of interest.

As to claims 2 and 25. Fenton further teaches the contextual information being tagged to the data when the data is being saved (paragraph [0102]).

As to claims 3 and 26. Copperman teaches the contextual information being tagged to the data when the data is first saved (Figure 5, steps 505 and 535, wherein data is first saved and then context information is added (i.e. taxonomy tags)).

As to claim 4. Copperman further teaches the contextual information being representative of the user context that is associated with a board (paragraph [0052], (i.e. user's profile)).

As to claims 5 and 35. Copperman also teaches the contextual information being automatically tagged to any type of data created in association with the user context (paragraph [0052], wherein taxonomy tags (contextual information) can be matched to a customer's profile).

As to claims 6, 7, 17, 18 and 23. Copperman teaches the contextual information including a link to a storage location of the data, which link is assigned to each user of the user context in which the data was created (paragraph [0057], wherein some taxonomy tags (i.e. links) can define source from which certain document is uploaded).

As to claim 8. Copperman teaches the contextual information being associated with the user context, which user context is further associated with an application tool that is used to generate data (paragraph [0147], i.e. an application for creation of taxonomy tags).

As to claim 9. Copperman teaches the application tool including a pointer for each user associated with the user context (paragraph [0057], wherein each user is presented at least on tag).

As to claims 10 and 20. Copperman teaches the pointer to a storage location of the data (paragraph [0057], wherein tag indicates a source from which certain document is uploaded).

As to claim 11. Copperman teaches the data component monitoring the data being created from one or more applications (paragraph [0183], wherein the application monitors user's actions) that perform data operations related to at least one of (including but not limited to) telephony, unified messaging, decision support, document management, portals, chat, collaboration, search (paragraph [0008], i.e. submitting query), vote, relationship management, calendar, personal information management, profiling, video, directory management, executive information systems, dashboards, cockpits, tasking, meeting and, web and video conferencing.

As to claim 12. Copperman teaches the contextual information including context data that is representative of a user context, which context data is automatically tagged to the data (paragraph [0048]).

As to claim 19. Copperman teaches the contextual information being associated with the user context, which user context is further associated with an application tool that is used to generate data (paragraph [0147], i.e. an application for creation of taxonomy tags); the application tool including a pointer for each user associated with the user context (paragraph [0057], wherein each user is presented at least on tag).

As to claim 21. Copperman teaches the pointer being generated with read-only access (paragraph [0183], wherein some pointers (i.e. original tags) are not modified

even if a user modifies implicit profiling, thus those original pointers are considered read-only).

As to claim 22, Fenton teaches the one or more data operations causing updating of at least one of the contextual information and the data (paragraph [0102]).

As to claim 27, Copperman teaches the method further comprising tagging the contextual information to the data in accordance with a backup operation (paragraph [0181], wherein context information (taxonomy tags) are associated/linked to corresponding context nodes which provide additional information about the requested content, thus provide more data that could be utilized in backup operation).

As to claim 28, Copperman teaches the method further comprising linking one or more users of the user context to the data using the contextual information (Figure 2, for instance author in section 50, could be equated to this user).

As to claim 29, Copperman teaches the one or more users being granted at least read access to the data (paragraph [0082]).

As to claim 30, Copperman teaches the method further comprising encoding the location of the stored data such that the encoded location is processed to access the stored data (paragraph [0057], wherein some taxonomy tags (i.e. links) define source from which a document is uploaded).

As to claim 32, Copperman teaches the user and the one or more other users being associated with a user context (interpreted as marked content as illustrated in figure 2, element 70) of the user (paragraph [0181] wherein knowledge containers can be tagged as to represent certain users, and if multiple users have similar interests and

needs, once the search is activated, those users would have access to the same "user context").

As to claim 33, Copperman teaches the method further comprising linking the data with the one or more other users of other respective user contexts (paragraph [0181] wherein the data (i.e. in a knowledge container) can be mapped to multiple user's contexts, in other words data can be tagged in such a manner as to match interests and needs of respective users).

As to claim 34, Copperman teaches the data being linked using a webslice (paragraph 55, wherein a concept node and appropriate knowledge containers are linked).

Response to Arguments

6. Applicant's arguments with respect to claim1, 16, 24, 31, 36 and 37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

8. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA M. LIE whose telephone number is (571)272-8445. The examiner can normally be reached on M-F.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angela M Lie/
Examiner, Art Unit 2163

/don wong/

Supervisory Patent Examiner, Art Unit 2163